

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

SANFORD A. FREEMAN,

Plaintiff,

v.

NANCY A. BERRYHILL,  
Deputy Commissioner for Operations,  
performing the duties and functions  
not reserved to the  
Commissioner of Social Security,

Defendant.

No. 1:17-cv-236-SKL

ORDER OF REMAND UNDER SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

Before the Court are the unopposed Motion to Remand [Doc. 25], and Plaintiff's Motion for Summary Judgment [Doc. 20]. For the reasons stated herein, the unopposed Motion to Remand will be **GRANTED** and Plaintiff's Motion for Summary Judgment will be **DENIED AS MOOT**.

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of Defendant's unopposed motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner. *See Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S. Ct. 2625, 2629 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 97-98, 111 S. Ct. 2157, 2163 (1991). Upon receipt of the Court's remand order, the Appeals Council of the Social Security Administration **SHALL REMAND** the case to the Administrative Law Judge ("ALJ") with instructions to obtain

supplemental vocational evidence to determine whether Plaintiff could make an adjustment to other work pursuant to 20 C.F.R. §§ 404.1520(g), 404.1560(c) as remand is necessary to evaluate whether light work exists that Plaintiff can perform given his RFC and vocational factors of age, education, and work experience.

Accordingly, the Motion to Remand [Doc. 25] is hereby **GRANTED**, and Plaintiff's Motion for Summary Judgment [Doc. 20] is hereby **DENIED AS MOOT**.

A separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure will ENTER.

SO ORDERED.

ENTER:

*s/ Susan K. Lee*

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE